

Message Text

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TO AMEMBASSY TOKYO

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SUBJECT: US-JAPAN BILATERAL FISHERIES DISCUSSIONS,
NOVEMBER 12, 1974, TOKYO

1. IT HAS BEEN PRACTICE FOR US TO EXCHANGE VIEWS WITH JAPAN
PRIOR TO BEGINNING OF BILATERAL TALKS SO THAT EACH SIDE
WOULD BE SUFFICIENTLY AWARE OF PROBLEM AREAS AND WOULD BE
PREPARED TO DISCUSS THEM IN FULL. POST IS REQUESTED TO
NOTIFY GOJ OF USG'S VIEWS AND PLANS TO RAISE FOLLOWING
SUBJECTS AT FORTHCOMING TALKS:

A. USG CONSIDERS THAT PRESENT BILATERAL ARRANGEMENTS TO
CONSERVE NORTH PACIFIC FISHERY RESOURCES HAVE NOT SUCCEEDED
IN ARRESTING THEIR DECLINE. A MAJOR FACTOR CONTRIBUTING TO
THAT DECLINE IS CONTINUING INCREASE IN FOREIGN FISHING EF-
FORT. THIS EFFORT MUST BE CONTROLLED AND, IN FACT, REDUCED
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TO PROTECT AND CONSERVE THOSE RESOURCES. ACCORDINGLY, WE

WILL PROPOSE SIGNIFICANT REDUCTIONS IN JAPANESE CATCHES OF POLLOCK, PACIFIC OCEAN PERCH, ETC., IN EASTERN BERING SEA AND NORTHEAST PACIFIC OCEAN. THOSE PROPOSALS WILL INCLUDE ESTABLISHMENT OF OVERALL CATCH CEILINGS AND OF CLOSED AREAS.

B. OF PARTICULAR CONCERN IS FAILURE OF CURRENT MEASURES TO ARREST CONTINUING DECLINE IN HALIBUT STOCK. WE HOPE THAT INTERNATIONAL NORTH PACIFIC FISHERIES COMMISSION (INPFC) WILL BE ABLE TO ARRIVE AT MEANINGFUL MEASURES WHICH WILL ASSIST IN ARRESTING THAT DECLINE BUT WE WILL ALSO WISH TO EXPLORE THIS MATTER FURTHER AT BILATERAL DISCUSSIONS AND REEXAMINE EXISTING ARRANGEMENTS.

C. AS ALREADY NOTED UNDER SUBJECTS WE WISH TO DISCUSS AT ANNUAL INPFC MEETING WE WILL SEEK ASSURANCES THAT JAPAN WILL REGULATE ITS SALMON FISHERY IN 1975 IN A MANNER DESIGNED TO PROVIDE MAXIMUM PROTECTION TO BRISTOL BAY SALMON AND OTHER SALMON OF NORTH AMERICAN ORIGIN.

D. JAPANESE SALMON VESSELS CONTINUE TO VIOLATE ABSTENTION LINE. THIS MATTER WILL BE RAISED AT INPFC MEETING. IN ADDITION, HOWEVER, USG ENFORCEMENT AGENTS HAVE NOTED SIGNIFICANT INFRACTIONS OF JAPANESE DOMESTIC AND VOLUNTARY REGULATIONS. THEY INCLUDE VIOLATIONS OF JAPAN'S SPECIAL, VOLUNTARY MEASURES AND INFRACTIONS COMMITTED BY LANDBASED GILLNET VESSELS OPERATING ILLEGALLY IN EASTERN SECTOR OF AREA A (MOTHERSHIP FISHING AREA) WHERE BRISTOL BAY SALMON FOUND. AS SUCH, WE BELIEVE WE HAVE LEGITIMATE CONCERN IN MATTER WHICH JAPAN MAY CONSIDER TO BE THEIR QUOTE DOMESTIC PROBLEM UNQUOTE. WE WILL SEEK AN EXPLANATION OF JAPAN'S DOMESTIC REGULATIONS RELATING TO SUCH INFRACTIONS AND REQUEST THAT JAPAN STRENGTHEN ITS ENFORCEMENT CAPABIL-

ITY TO CONTROL THEM. WE ALSO PLAN TO RAISE THIS ISSUE AT INPFC MEETING.

E. GOJ HAS BEEN APPRISED OF USG'S INTENT TO IMPLEMENT FROM DECEMBER 5, 1974, FEDERAL LAW RELATING TO INCIDENTAL CAPTURE OF US CONTINENTAL SHELF CREATURES. US SCIENTISTS ESTIMATE THAT JAPANESE TRAWL FISHERIES PRESENTLY TAKE ABOUT LIMITED OFFICIAL USE

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118 MILLION TANNER CRABS INCIDENTALLY. WE CONSIDER THIS LARGE INCIDENTAL CATCH TO BE EXCESSIVE AND HARMFUL TO MAINTENANCE OF PRODUCTIVITY OF RESOURCE. THIS ISSUE WILL BE RAISED IN CONTEXT WITH OTHER US PROPOSALS TO PROTECT GROUND FISH STOCKS. IN ADDITION, WE WISH TO DISCUSS WAYS IN WHICH JAPAN CAN MODIFY ITS FISHING GEAR AND OPERATIONS TO AVOID OR MINIMIZE THEIR LARGE INCIDENTAL CRAB CATCH.

F. THERE HAS BEEN SOME CONFUSION REGARDING JAPANESE

PRIVILEGES TO CONDUCT TUNA FISHING IN US CONTIGUOUS FISHERIES ZONE. WE WILL WISH TO REEXAMINE THIS ISSUE AND SUGGEST CHANGES.

G. JAPANESE VESSELS ARE PERMITTED TO CONDUCT LOADING AND TRANSFER ACTIVITIES IN CERTAIN LOCALITIES IN US CONTIGUOUS FISHERIES ZONE UNDER PRESENT AGREEMENT. CHANGES WILL BE SUGGESTED.

H. WE ENTERTAIN RESERVATIONS CONCERNING RELIABILITY OF DATA COLLECTED BY THE JAPANESE CRAB FLEETS AND WILL RAISE THIS ISSUE.

I. THERE HAS BEEN A NUMBER OF GEAR CONFLICTS INVOLVING JAPANESE AND US FISHING VESSELS IN THE PAST. TO PROVIDE A MECHANISM TO RAPIDLY RESOLVE DISPUTES ON DAMAGE CLAIMS, WE SUGGEST JAPAN SERIOUSLY CONSIDER ESTABLISHING A CLAIMS

BOARD SIMILAR TO THAT ESTABLISHED BETWEEN US AND USSR.

J. PROBLEMS HAVE BEEN ENCOUNTERED WITH DERELICT JAPANESE FISHING GEAR, CREATING NAVIGATIONAL HAZARDS AND POTENTIAL DANGER TO WILDLIFE AND MAMMALS WHICH MAY BECOME ENTRAPPED IN DRIFTING GEAR. IN ADDITION, THEY CREATE POLLUTION PROBLEMS. MEASURES SHOULD BE DEVELOPED TO CONTROL THIS PROBLEM.

K. USG WISHES TO ASSURE GOJ THAT WE PLAN TO PURSUE DISCUSSIONS ON CONSERVATION PROBLEMS WITH OTHER COUNTRIES FISHING IN NORTH PACIFIC.

L. FINALLY, THERE MAY BE OTHER PROBLEMS WHICH WE MAY WISH TO DISCUSS. THEIR OMISSION HERE SHOULD NOT BE CONSTRUED LIMITED OFFICIAL USE

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THAT SUCH OTHER MATTERS MAY NOT BE RAISED AT BILATERAL TALKS.

2. WE HAVE NOT HAD ANY SPECIAL EXPRESSIONS OF VIEWS FROM GOJ REGARDING UPCOMING TALKS. POST IS REQUESTED TO REPORT ON GOJ REACTION TO US VIEWS AND PROPOSALS. KISSINGER

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